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## 6 | Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

12 GIL CROSTHWAITE and RUSS BURNS, in  
13 their respective capacities as Trustees of the  
OPERATING ENGINEERS' HEALTH AND  
WELFARE TRUST FUND, et al.,

14 | Plaintiffs,

15 v.

16 FOSTER & SONS GENERAL  
17 ENGINEERING CONTRACTORS, INC., a  
California corporation,

Defendant.

Case No.: C10-0457 MMC

**REQUEST TO VACATE CASE  
MANAGEMENT CONFERENCE**

Date: September 3, 2010  
Time: 10:30 a.m.  
Location: 450 Golden Gate Avenue  
San Francisco, California  
Courtroom: 7, 19<sup>th</sup> Floor  
Judge: Honorable Maxine M. Chesney

21 Plaintiffs hereby submit their Request for Vacate the Case Management Conference  
22 currently scheduled for September 3, 2010 at 10:30 a.m. in Courtroom 7.

23       1. On July 9, 2010, Plaintiffs filed an Amended Motion for Default Judgment  
24 (“Motion”). The Motion is set for hearing on August 27, 2010.

25       2. On August 24, 2010, this Court issued an Order Affording Plaintiffs Opportunity to  
26 Supplement Application for Default Judgment. The Order allows Plaintiffs two options: (1) to file  
27 a supplemental declaration, in which the matter will be deemed submitted on the moving papers  
28 and no hearing will be held; or (2) to appear at the hearing.

1 3. Plaintiffs have prepared and filed the declaration today.

2 4. I respectfully request that the current Case Management Conference be vacated as  
3 Plaintiffs unopposed Motion for Entry of Judgment is pending.

4 Date: August 26, 2010

SALTZMAN & JOHNSON  
LAW CORPORATION

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6 By: \_\_\_\_\_/s/\_\_\_\_\_

7 Michele R. Stafford  
8 Attorneys for Plaintiffs

9 ORDER

10 The Case Management Conference currently scheduled for September 3, 2010 at 10:30 a.m. is  
11 hereby vacated.

12 Date: August 27, 2010

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14   
15 UNITED STATES DISTRICT COURT JUDGE

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REQUEST TO VACATE CMC  
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